

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

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GLAXOSMITHKLINE CONSUMER)	
HEALTHCARE, L.P.,)	
)	Hon. Dickinson R. Debevoise, U.S.D.J.
Plaintiff,)	
)	CIV. NO. 05 CV 898 (DRD) (ES)
- against -)	
)	PERMANENT INJUNCTION
MERIX PHARMACEUTICAL CORP.,)	ORDER ON CONSENT
)	
Defendant.)	
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This matter having been opened to the Court by stipulation and consent of the parties herein,


IT IS, on this nd22 day of August, 2008,

ORDERED that this Court's preliminary injunction Order of September 13, 2005 shall be entered as a Permanent Injunction, and it is further


ORDERED that the Court shall retain continuing jurisdiction over this matter for the purpose of addressing any disputes relating to defendant's compliance with the Permanent Injunction, and it is further

ORDERED that plaintiff's preliminary injunction bond is hereby discharged.

Defendant's advertising, packaging, and promotional claims challenged herein by plaintiff not falling within the scope of the Permanent Injunction having been withdrawn with prejudice, and there being no issues remaining to be resolved, and the parties having waived any right to appeal any issue, the Clerk is directed to close this matter, without costs to either party.

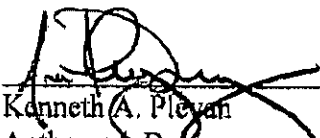

Dickinson R. Debevoise, U.S.D.J.

The parties consent to the entry of the above-stated Permanent Injunction Order.


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Dated: August 22, 2008


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Dated: August 22, 2008